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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/538,952	04/18/2006	Martin Griesser	AP 10597	9474
7590		11/13/2007		
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			EXAMINER	
			PHAM, TOAN NGOC	
			ART UNIT	PAPER NUMBER
			2612	
			MAIL DATE	DELIVERY MODE
			11/13/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/538,952

Applicant(s)

GRIESSER ET AL.

Examiner

Toan N. Pham

Art Unit

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 6/14/2005.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 19 and 28 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 19 and 28, the phrase "such as" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 11-28 are rejected under 35 U.S.C. 102(b) as being anticipated by Walker et al. (US 5,192,929).

Regarding claims 11 and 20: Walker et al. disclose a method for detecting deflated tire on a vehicle comprising determining one or more parameters used to determine pressure loss of a motor vehicle wheel, wherein the one or more parameters is derived from a wheel acceleration (col. 3, line 8-col. 8, line 8).

Regarding claims 12 and 21: Walker et al. disclose evaluating the wheel acceleration when one or more defined driving conditions prevail, wherein straight travel is one of the defined driving conditions (col. 3, lines 25-43).

Regarding claims 13 and 22: Walker et al. disclose a minimum and a maximum of the wheel acceleration of each individual vehicle wheel is determined in a predetermined time interval (col. 3, lines 8-23).

Regarding claims 14 and 23: Walker et al. disclose a difference is produced, for each wheel, from the minimum and the maximum of the wheel acceleration (col. 3, lines 65-68).

Regarding claims 15 and 24: Walker et al. disclose a reference value is produced from the differences of the individual time intervals over a time stretching over several time intervals (col. 3, lines 44-62).

Regarding claims 16 and 25: Walker et al. disclose an alarm is triggered when the difference exceeds a first limit value (col. 3, line 65-col. 4, line 8).

Regarding claims 17 and 26: Walker et al. disclose the alarm is suppressed when at least one further difference of another vehicle wheel has exceeded a second limit value (col. 4, lines 1-8).

Regarding claims 18 and 27: Walker et al. disclose the monitoring and calculation of the angular velocities of the four wheels with respect to the vehicle's acceleration (col. 3, line 25- col. 4, line 8); thus, the angular velocity is different with different road conditions.

Regarding claims 19 and 28: Walker et al. disclose evaluating the wheel condition with the utilization of the ABS system (col. 2, lines 50-53).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art of Braun et al. (US 6,060,984), Caretta et al. (US 6,763,288), Okawa et al. (US 5,591,906), Iida (US 5,710,539), Latarnik et al. (US 6,909,949) and Latarnik et al. (US 6,439,045) are cited to show a variety of vehicle tire pressure monitoring systems.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Toan N. Pham whose telephone number is (571) 272-2967. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J. Wu can be reached on (571) 272-2964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Toan N Pham
Primary Examiner
Art Unit 2612

A handwritten signature in black ink, appearing to read 'Toan N Pham', with a long horizontal flourish extending to the right.

November 8, 2007